

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA

VS.

TONY RAY ABERNATHY,
a/k/a "DAREDEVIL,"

Defendant

NO. 5: 08-CR-52 (CAR)
VIOLATIONS: FIREARMS RELATED

NO. 5: 99-CR-40 (CAR)
PETITION FOR ACTION ON SUPERVISED RELEASE

ORDER

Defendant TONY RAY ABERNATHY this day appeared before the undersigned for a hearing on the motion of the United States seeking his pretrial detention in Case No. 5:08-CR-52 (CAR). Tab #7. At said time and place, the undersigned also considered the issue of detention in Case No. 5:99-CR-40 (CAR) in which the government seeks a revocation of Mr. Abernathy's sentence supervised release.¹ Upon consideration of the proffers of evidence and argument of counsel, the undersigned finds insufficient evidence to require the pretrial detention of defendant Abernathy.

Accordingly, IT IS ORDERED AND DIRECTED that defendant ABERNATHY be released from custody subject to continued supervision by the U. S. Probation Office pursuant to the sentence of supervised release imposed upon him in Case. No. 5:99-CR-40 (CAR).

SO ORDERED AND DIRECTED, this 1st day of OCTOBER, 2008.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE

¹At the beginning of the hearing, the government advised the court that it was withdrawing Violation No. 1 set forth in its PETITION FOR ACTION ON SUPERVISED RELEASE, and the parties agreed that no Preliminary Hearing under Rule 32.1 of the Federal Rules of Criminal Procedure would be necessary since the indictment herein (No. 5:08-CR-52 (CAR)) established probable cause as to the remaining allegations set forth in the petition.